

**REMARKS**

This amendment is in response to the final Official Action dated April 28, 2008. Claims 2, 7 and 13 have been amended, and claims 15 and 16 have been added; as such, claims 1-16 are now pending in this application. Claims 1, 7, and 13 are independent claims. Reconsideration and allowance is requested in view of the claim amendments and the following remarks. No new matter has been added.

**The Restriction is Traversed**

The Office Action asserts that:

[C]laims 7-14 discloses different embodiment of the invention where they teaches a memory module and a processor that issues a controller command to retrieve the trim image and the controller is configures to command the corresponding data reader to read only the trimmed image.

Applicant has removed the phrase “in response to a controller command from a processor,” which the Office Action cites as the basis for the restriction. Claim 13 has been similarly amended.

With respect to the use of the phrase “memory module,” Applicant submits that this feature alone fails to provide a proper or sufficient basis to argue that the original invention is distinct from the elected invention, as there is no possible basis for arguing that claim 1, which recites “reading means for reading image data from a memory”, is patentably distinct from claim 7 on the basis of the inclusion of a “memory module.”

Finally, the phrase “the controller is configure[d] to command the corresponding data reader to read only the trimmed image” is clearly similar to “*trimming out a part of image data stored in a memory and transferring the trimming image data*” recited in claim 1. Accordingly, claim 1 clearly recites subject matter sufficiently similar to claim 7 to continue prosecution on all the pending claims.

Accordingly, rejoinder of claims 7-14 is respectfully requested.

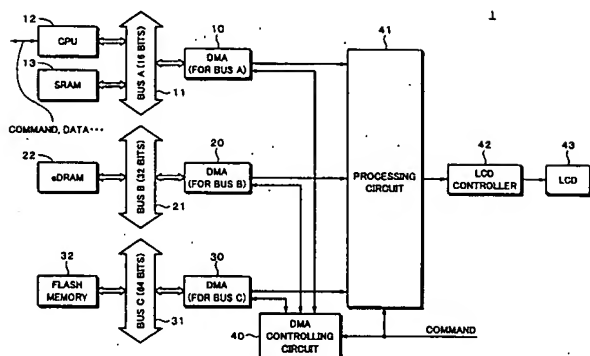
Example Embodiment

Fig. 3 of the present application illustrates an example embodiment of the present invention. The example embodiment includes a processing circuit 41 that uses DMA controlling circuit 40 to pass commands to a plurality of memories (13, 22, 32) via a plurality of DMA devices (10, 20, 30) and associated Busses (11, 21, 31). The processing

circuit is able to directly receive data via the plurality of DMA devices (10, 20, 30) and busses (11, 21, 31). The DMA controller 40 acts as a gateway to the various memories (13, 22, 32). To access a trimmed image, the processor circuit 41 issues a command to DMA controller 41 indicating the location of the trimmed image within the original image. In response, the DMA controller 40 issues a series of DMA commands to DMAs (10, 20, 30) to retrieve only the desired portion of the original image one pixel column at a time, without including any undesired portion of the original image.

Rejection under 35 U.S.C. § 102

Claims 1-6 have been rejected under 35 U.S.C. § 102 over U.S. Patent No. 4,907,283 to Tanaka et al. ("Tanaka").

Tanaka discloses an optical character search device illustrated in Fig. 1. In Fig. 1, an image is provided to image memory 101, via image input unit 100 and is displayed on display unit 108. Character trimming unit 102 identifies each individual character and determines the x, y corner coordinate, width, height, and degenerate code C, for each character. A user may then use keyboard 105 to perform character string searches on the data to find character sets in the display.

Claim 1 recites: *[a]n image processing apparatus for trimming out a part of image data stored in a memory and transferring the trimming image data, the image processing apparatus comprising:*

*image data reading means for reading image data from a memory; and*

*controlling means for controlling the image data reading means that reads the image data from the memory,*

*wherein when a part of image data stored in the memory is trimmed, the controlling means is configured to control the image data reading means so as to read the image data for each column at a time from the memory.*

With respect to claim 1, Tanaka fails to teach or suggest “*when a part of image data stored in the memory is trimmed, the controlling means is configured to control the image data reading means so as to read the image data for each column at a time from the memory.*”

Page 3 of the Office Action rejects this portion of claim 1 by referring to the image data in Image Memory 101, and later by citing to the image data in the Character Information Table 103.

First, Tanaka does not disclose how the image data in the image memory is read. Tanaka only discloses that the image data is trimmed and used to create heuristic image character data (i.e., the x-y corner, width, height, degenerate code) stored as a table. While Tanaka discloses that abstract data is stored in a table, Tanaka does not disclose how the data is written or read from memory.

The Office Action responds that:

Tanaka teaches a character information table 103 comprises a character number column 109 for identifying the respective characters and columns 110 to 113 for storing the data Xi, Yi and Wi and Hi and a degenerate code column 114. Therefore, the part of the image data that is trimmed is taught by Tanaka as the character trimming 102 that projects the image data stored in the image memory 101 to trim an area of each character and the controlling means that control the image data reading means so as to read the image data for each column at a time from the memory is taught in Tanaka as the image reader 100 see figure 16 and the control unit. Moreover, Tanaka teaches in column 3 lines 55-68 that the character information table 103 comprises a

character number for identifying the respective character column 110 to 113 for storing the data Xi, Yi, Wi and Hi ) therefore each column is read by the image reader of Tanaka.

Applicant argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies "how the image data in the image memory is read" are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim 1 recites "*wherein when a part of image data stored in the memory is trimmed, the controlling means is configured to control the image data reading means so as to read the image data for each column at a time from the memory.*" Therefore, claim 1 clearly states that the image from the memory is read by the column.

Tanaka does not teach or suggest that the image data is read from the memory "*each column at a time.*" All that Tanaka discloses is that the image data is read and heuristics are formed based on the image data. While the various columns of Table 103 disclose information pertaining to the data, there is no discussion in Tanaka of how the image data is actually read from memory.

Claim interpretation requires that all elements of a claim be present to reject that claim.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

While the Office Action correctly states that "claims are interpreted in light of the specification, limitations from the specification are not read into the claims," the Office Action cannot simply ignore elements of the claims. However, this is exactly the present situation. Unless the Office

Action can cite to a specific portion of Tanaka where image data is read from memory “*each column at a time*,” then the rejection must be withdrawn.

Second, the Office Action confuses the term “image data” in the claims. In setting forth the rejection, the Office Action refers to “image data” as the image in the image memory 101, and then refers to “image data” as the character heuristics in the information table. However, when reciting the terms “an image data” and “the image data,” claim 1 is clearly referring to the same “image data” element. Therefore, the rejection set forth on Page 3, which uses two different data sets in Tanaka to reject the same “image data” in claim 1, confuses and incorrectly rejects the “image data” recited in claim 1 on two different pieces of data. As such, the rejection incorrectly rejects the single image data in the claims on two different types of data in Tanaka.

The Office Action responds that:

Finally, Applicant argument that the office action confuses the term in the claims as the data in the image memory 101 and then refers to image data as the character heuristics in the information table. It is true that Tanaka discloses the image data in two different parts since each item area and the corresponding main body page describing the content of the item area are recognized from a page image of the table of contents or index in a document, and the recognized data are stored in a table therefore the image data that are read are stored in a memory so the converted data are the same as the original data but has different codes (see figures 4A and 4B)...

In response, Applicant submits that the Office action has not addressed the issue presented. Particularly, while the claims identify a single image data that is read and trimmed, the Office Action cites to two different sets of data to reject the same element. While the Office Action contends that this is the same data, this is clearly not that case. The image itself is clearly separate from the heuristic information extracted from the image data and used to form Table 103.

Furthermore, the claims clearly treat the recited “image data” as the same element that is read out “*each column at a time*.” By citing to different data sources, the Office Action ignores the language of the claim. The closest that Tanaka comes to reading image data “a column at a time” is by the suggestion posed by the Office Action that the table 103 is somehow read “a column at a time” by virtue of being a Table. However, this position distorts the clear meaning of the claim in order to reject the claims over the Tanaka reference.

Accordingly, Tanaka fails teach or suggest various features of claim 1. For similar reasons, Tanaka also fails to teach various features of claim 5. Furthermore, at least for the reason disclosed above, claims 2-4 and 6 overcome Tanaka because they depend on independent claims 1 and 5.

Accordingly, Applicant respectfully requests that the rejection of claims 1-6 under 35 U.S.C. § 102 be withdrawn.

### CONCLUSION

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2842 from which the undersigned is authorized to draw.

Dated: June 11, 2008

Respectfully submitted,

By 

Ronald P. Kananen

Registration No.: 24,104

Christopher M. Tobin

Registration No.: 40,290

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorneys for Applicant